

Message Text

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ACTION EB-11

INFO OCT-01 EUR-25 EA-11 NEA-10 IO-14 ISO-00 AGR-20 CEA-02

CIAE-00 COME-00 DODE-00 FRB-02 H-03 INR-10 INT-08

L-03 LAB-06 NSAE-00 NSC-10 PA-04 RSC-01 AID-20

CIEP-02 SS-20 STR-08 TAR-02 TRSE-00 USIA-15 PRS-01

SPC-03 OMB-01 FMC-04 CG-00 COA-02 DLOS-06 DRC-01

OIC-04 AF-10 ARA-16 /256 W
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R 101645Z DEC 73

FM USMISSION GENEVA

TO SECSTATE WASHDC 2902*

INF* AMEMBASSY LONDON

AMEMBASSY OSLO

A EMBASSY STOCKH LM

AMEMBASSY TOKYO

AMEMBASSY ATHENS

AMEMBASSY BONN

AMCONSUL HAMBURG

AME BASSY THE HAGU*

AMEMBASSY COPENHAGEN

AMEMBASSY MOSCOW

AMEMBASSY ROME

AMEMBASSY BRUSSELS

AMEMBASSY OTTAWA

AMEMBASSY CANBERRA

AMEMBASSY MADRID

USMISSION OECD PARIS

UNCLAS GENEVA 6488

E.O.11652 NA

TAGS ETRN UNCTAD UN

SUBJ SHIPPING: PRESIDENT'S PRINCIPLES FOR LINER CONFERENCE CODE

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REF GENEVA 6487

1. FOLLOWING IS TEXT OF PRINCIPLES IN REGARD TO SETTLEMENT OF SOME FUNDAMENTAL ISSUES BEFORE UN CONFERENCE ON CODE OF CONDUCT FOR LINER CONFERENCES SUBMITTED TO PRESIDENT'S GROUP DECEMBER 6 BY PRESIDENT (SRIVASTAVA):

17953: ROLE OF GOVERNMENTS

1. UPON THE REQUEST OF GOVERNMENTS, REQUISITE INFORMATION TO BE F R NISHED BY THE CONFERENCES.
 2. GOVERNMENT REPRESENTATIVES TO HAVE THE RIGHT TO BE PRESENT DURING CONSULTATIONS, TO PARTICIPATE IN THE DISCUSSIONS FULLY, TO MAKE SUGGESTIONS AND TO PROMOTE AGREEMENT BETWEEN THE PARTIES BUT THEY SHALL HAVE NO ROLE OF A DECISION MAKER.
 3. GOVERNMENTS TO HAVE A SIMILAR RIGHT OF PARTICIPATION IN CONCILIATION PROCEEDINGS.
- PARTICIPATION IN TRADE

1.EQUALITY OF THE RIGHTS OF NATIONAL LINES AT THE TWO ENDS.

2. A SHARE OF 20 PERCENT TO BE ALLOCATED TO THIRD FLAG LINES WHERE THEY EXIST.

3. IF NATIONAL LINES DO NOT CARRY OR ARE UNABLE TO CARRY THEIR ALLOCATED SHARE OF THE TRADE,AND ON THIS POINT THEY THEMSELVES SHALL MAKE THE DECISION, THAT PORTION OF THEIR SHARE OF THE TRADE WHICH THEY DO NOT CARRY WILL REVERT TO THE POOL TO BE SHARED PRO RATA.

4. NATIONAL LINES WITHIN A REGION AT ONE END TO HAVE THE FLEXIBILITY OF ADJUSTMENTS AMONG THEMSELVES IN REGARD TO THEIR SHARES.

IMPLEMENTATION

1. EVERY EFFORT TO BE MADE BY THE PARTIES TO REACH SETTLEMENT DURING CONSULTATIONS.

2. WHERE A MATTER IS NOT SETTLED BY CONSULTATION AND A DISPUTE ARISES, IT SHOULD BE SUBMITTED TO MANDATORY INTERNATIONAL CONCILIATION, AMONG SUCH MATTERS BEING QUESTIONS RELATING TO FREIGHT RATES, SURCHARGES, CURRENCY ADJUSTMENT FACTORS, ETC.

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3. CONCILIATORS RECOMMENDATIONS, IF ACCEPTED BY THE PARTIES, SHALL BE BINDING.

4. IF CONCILIATORS RECOMMENDATIONS ARE REJECTED, REASONS FOR REJECTION TO BE STATED COMPREHENSIVELY IN WRITING AND TO BE PUBLISHED.

5. A REVIEW CONFERENCE TO BE CONVENED AFTER FIVE YEARS TO REVIEW THE WORKING OF THE CONVENTION WITH PARTICULAR

REFERENCE TO IMPLEMENTATION. SUCH REVIEW CONFERENCES TO
BE HELD EVERY FIVE YEARS THEREAFTER.

CRITERIA FOR THE DETERMINATION OF FREIGHT RATES

1. THESE CRITERIA SHOULD BE AS CONTAINED IN GROUP D PROPOSAL
ALREADY SUBMITTED AS AN ALTERNATIVE TO PARAGRAPH 54
OF THE DRAFT CODE.

2. TIME BETWEEN THE DATE WHEN ONE GENERAL FREIGHT RATE
INCREASE BECOMES EFFECTIVE AND THE DATE OF NOTICE FOR THE
NEXT GENERAL FREIGHT RATE INCREASE SHOULD NOT BE LESS THAN
12 MONTHS. UNQUOTE.

2. TEXT INCLUDES FOLLOWING FOOTNOTE: QUOTE:
A REFERENCE WAS MADE TO THE APPREHENSIONS AMONG DIFFERENT
GROUPS IN REGARD TO THE QUESTION OF OUTSIDE COMPETITION
BUT THE HOPE WAS EXPRESSED THAT THIS PROBLEM WOULD BE
SATISFACTORILY RESOLVED BY MUTUAL DISCUSSION IN THE COMMITTEE
OR DRAFTING GROUP CONCERNED. UNQUOTE.BASSIN

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